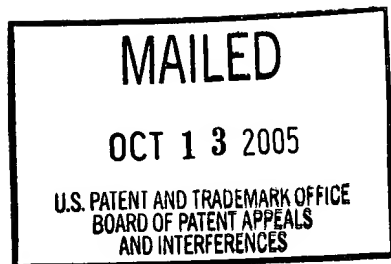


UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte DON RUTLEDGE DAY  
and RABINDRANATH DUTTA

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Application No. 09/838,378

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on August 10, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:


The Examiner's Answer is defective because the evidence relied upon is not stated in the Examiner's Answer.

An Examiner's Answer that is in compliance with 37 CFR § 41.37(c) is required.

Accordingly it is

**ORDERED** that the application is returned to the Examiner to issue a new Examiner's Answer in compliance with the new rules and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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